

Message Text

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ACTION EB-08

INFO OCT-01 ISO-00 AGR-05 L-03 FRB-03 OMB-01 ITC-01

SP-02 USIA-06 AID-05 CIAE-00 COME-00 INR-07 IO-13

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INFO USMISSION OECD PARIS

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E.O. 11652: N/A

TAGS: UNCTAD, ETRD

SUBJ: UNCTAD: WORKING GROUP ON RULES OF ORIGIN

1. SUMMARY: UNCTAD WORKING GROUP ON RULES OF ORIGIN (WG) ADOPTS NEW NOTES FOR BACK OF THE CERTIFICATE OF ORIGIN FORM A AND NOTES SIX SPECIFIC AREAS IN WHICH PREFERENCE RECEIVING COUNTRIES PARTICULARLY REQUEST PREFERENCE-GIVING COUNTRIES TO FURTHER HARMONIZE AND IMPROVE THEIR GSP SCHEMES' ORIGIN RULES.

2. UNCTAD WG ON RULES OF ORIGIN FINISHED MEETING LATE APRIL 22 WITH AGREED CONCLUSIONS. (TEXT BEING SENT BY AIRGRAM). OF MOST IMPORTANCE TO OECD COUNTRIES HAVING GSP SCHEMES WAS WG'S AGREEMENT TO ACCEPT WITHOUT MODIFICATION THE REVISED VERSION OF THE NOTES ON THE BACK OF FORM A THAT WAS APPROVED ON MARCH 25 BY THE OECD EXPERT GROUP ON RULES OF ORIGIN. THE GROUP ALSO AGREED THAT THE NEW NOTES SHOULD APPLY AS FROM JANUARY 1, 1978, BUT THAT OLD FORMS SHOULD BE ACCEPTED BY PREFERENCE-GIVING COUNTRIES UNTIL TWO YEARS AFTER THIS DATE.

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3. THE AGREED CONCLUSIONS, WHICH WERE NEGOTIATED IN A CONTACT GROUP APRIL 20-22, AFTER NOTING THE PROGRESS MADE TO DATE IN HARMONIZATION, STATE THAT THE GROUP NOTED THE REQUEST ADDRESSED TO THE PREFERENCE-GIVING COUNTRIES TO MAKE EVERY EFFORT TO CONTINUE THE HARMONIZATION AND SIMPLIFICATION OF THEIR RESPECTIVE RULES PARTICULARLY IN

SIX LISTED AREAS. G-77 AT LAST MINUTE ATTEMPTED TO HAVE FOREGOING LANGUAGE CHANGED TO INDICATE A GREATER COMMITMENT TO ACTION ON THE PART OF PREFERENCE-GIVING COUNTRIES, BUT WHEN THIS FAILED SETTLED FOR A FOOTNOTE WHICH STATES THAT THE G-77 REGARDS THIS TEXT AS MEANING PREFERENCE-RECEIVING COUNTRIES WOULD GIVE SERIOUS CONSIDERATION TO THE REQUEST OF PREFERENCE-RECEIVING COUNTRIES. THE SIX AREAS MENTIONED ABOVE ARE: (A) LIST OF PROCESSES "A" AND "B", (B) PERCENTAGE CRITERION, (C) DIRECT CONSIGNMENT, (D) CUMULATIVE TREATMENT, (E) DOCUMENTARY EVIDENCE, AND (F) PROVISIONS FOR EXHIBITIONS AND FAIRS. IN EACH OF THE AREAS THE GROUP NOTES THE PROPOSALS OF THE PREFERENCE-RECEIVING COUNTRIES FOR FURTHER HARMONIZATION AND IMPROVEMENT; THESE PROPOSALS ARE ESSENTIALLY REPETITIONS OF THOSE CONTAINED IN THE UNCTAD SECRETARIAT'S DOCUMENT TD/B/C.5/WG/(VI)4 WHICH ANALYSES THE COMPENDIUM OF OECD COUNTRIES' SCHEMES. A SEVENTH AREA ON PREFERENCE-GIVING COUNTRY CONTENT WAS DELETED AT THE LAST MINUTE BECAUSE OF LACK OF AGREEMENT BOTH WITHIN THE G-77 AS WELL AS BETWEEN THE G-77 AND GROUP B.

4. IN RESPONSE TO A REQUEST FROM THE G-77 TO THE EASTERN EUROPEANS TO ACCEPT FORM A AND TO BE LISTED ON THE BACK OF IT, GROUP D INSERTED IN CONCLUSIONS STATEMENT THAT THEY WERE UNDERTAKING CONSULTATIONS ON THE HARMONIZATION OF THEIR RULES AND WHEN THE RESULTS ARE KNOWN, IT MIGHT BE POSSIBLE TO BE LISTED ON FORM A. THEY ADDED FURTHER MODIFICATIONS IN THE NOTES WOULD THEN BE NEEDED. AGREED CONCLUSIONS ALSO STATE THAT FURTHER LIMITED OFFICIAL USE

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WORK WOULD BE REQUIRED AT A DATE IN 1978 TO BE DECIDED BY THE SPECIAL COMMITTEE ON PREFERENCES.

5. G-77 COUNTRIES WERE ALMOST EXCLUSIVELY REPRESENTED BY PEOPLE FROM THEIR MISSIONS IN GENEVA. ONLY THAILAND AND MALAYSIA SENT PEOPLE FROM CAPITALS; AND INDIA, SOMEONE FROM BRUSSELS. FOR THIS REASON G-77 COMMENTS WERE LARGELY CONFINED TO ASKING GROUP B COUNTRIES FOR THEIR VIEWS ON SPECIFIC RECOMMENDATIONS CONTAINED IN THE SECRETARIAT'S ANALYSIS OF THE COMPENDIUM. FEW SPECIFIC ORIGIN PROBLEMS WERE RAISED EXCEPT FOR A FEW CONCERNING TREATMENT OF ITEMS ON LISTS "A" AND "B" AND A COMPLAINT BY THE REPRESENTATIVE OF THE CENTRAL AMERICAN COMMON MARKET SECRETARIAT THAT IT WAS DIFFICULT FOR COUNTRIES TO TAKE ADVANTAGE OF THE PROVISIONS IN MOST OF THE SCHEMES FOR CUMULATIVE TREATMENT BECAUSE OF THE HIGHER VALUE ADDED REQUIREMENTS AND THE EXTRA DOCUMENTATION DEMANDED. U.S. REP NOTED ON SEVERAL OCCASIONS WITH REGARD TO THE RECOMMENDATIONS CONCERNING THE U.S. THAT AN OVERALL

REVIEW OF OUR SCHEME IS UNDERWAY WITH A VIEW TO POSSIBLE IMPROVEMENTS, BUT THAT IT WAS TOO EARLY TO SAY WHAT THE OUTCOME WOULD BE. WE ALSO NOTED THOSE US ORIGIN RULES WHICH WERE MANDATED BY LEGISLATION.

6. CABLE DRAFTED BY MISSION AFTER DEPARTURE WASHINGTON MEMBER OF USDEL.SORENSEN

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